

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO. 5:09-CV-00022-RLV-DSC**

SECURITIES AND EXCHANGE	)	
COMMISSION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
SHELBY DEAN MARTIN, D.	)	
MARTIN ENTERPRISES, INC.,	)	
and DM VENTURES, LLC,	)	
	)	
Defendants.	)	
	)	

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**THIS MATTER** is before the Court upon Receiver Pettit's Report, filed on June 5, 2012. (Doc. 34.)

On March 30, 2012, the Court directed that funds presently held in escrow be paid to the U.S. Securities and Exchange Commission, and thereafter deposited with the Crime Victims Fund in the U.S. Treasury, partly in light of Plaintiff's belief at the time that Martin and his wife had no additional assets. (Doc. 31.) Receiver Pettit thereafter brought to the Court's attention a number of equity interests in both publicly traded and privately held entities owned by Martin, which Receiver represented as having potentially significant value. (Doc. 32.) In response, the Court, in an Order filed April 26, 2012, stayed its March 30 Order and directed Receiver to file a status report on or before June 5, 2012. (Doc. 33.) In satisfaction of this April 26 Order, Receiver has submitted his Status Report, therein identifying the equity interests owned by Defendants.

Although Receiver has not yet been able to ascertain the value of the identified, privately held equity interests, Receiver seeks authorization to liquidate the publically traded shares as

they are customarily sold on a recognized market for the market price. Additionally, in accordance with the Court's April 26 Order, Receiver requests that the March 30 Order be stayed an additional forty-five days.

**IT IS, THEREFORE, ORDERED** that the relief requested in Receiver Pettit's Report be **GRANTED**. (Doc. 34.) The Court's Order filed March 30, 2012, is hereby stayed through August 9, 2012. Furthermore, Receiver is hereby authorized to liquidate the publically traded shares identified in his June 5 Status Report. Finally, Receiver is directed to file a second report with the Court on or before July 20, 2012, indicating the status of his actions and efforts to liquidate Defendants' publically and privately held equity interests.

Signed: June 12, 2012

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees  
United States District Judge

